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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

United States of America,
Plaintiff,

v.

Jose Escalara Aguilera,
Defendant.

No. CR-12-90-RS

**Stipulation and [Proposed] Order
Continuing November 27, 2012,
Hearing Date to December 11, 2012**

STIPULATION

This Court previously ordered Mr. Aguilera evaluated due to concerns regarding his competency and ability to assist his counsel with preparation for defense of his case. At the present date, counsel for both the government and defense have yet to receive the results of such evaluation. The parties thus stipulate to a continuance so that the parties can receive and review the results of the evaluation.

The parties also agree that the time between November 27, 2012, and December 11, 2012, (or some date thereafter convenient to the Court) should be excluded under the Speedy Trial Act; the continuance is necessary for effective preparation of counsel, 18 U.S.C. 3161(h)(7)(A) and

1 (h)(7)(B)(iv) and the ends of justice served by granting such a continuance outweigh the best
2 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

3 SO STIPULATED.

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5 Dated: November 20, 2012

MELINDA HAAG
United States Attorney

6
7 /s/ Mark Kang
8 J. MARK KANG
9 Special Assistant United States Attorney

10 Dated: November 20, 2012

11 /s/ Candis Mitchell
12 CANDIS MITCHELL
13 Attorney for Defendant
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[PROPOSED] ORDER

For the reasons stated above, the Court continues the status hearing date from November 21, 2012, to December 11, 2012.

IT IS FURTHER ORDERED that the time between November ²⁷~~21~~, 2012, and December 11, 2012, should be excluded under the Speedy Trial Act; the continuance is necessary for effective preparation of counsel, 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv), and the ends of justice served by granting such a continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

SO ORDERED.

DATED: 11/20/12



THE HONORABLE RICHARD SEEBORG
United States District Judge